

CHAPTER 4:

ADDITIONAL REQUIREMENTS

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Section 4.1 Purpose

The Town of Troutman finds that there are certain uses that exist which may be constructed, continued, and/or expanded provided they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among building types so that different uses may be located in proximity to one another without adverse affects to either. This Chapter specifies those requirements that must be met by all the uses listed in the uses permitted with Additional Requirements section for each District in Chapter 3.

Each use shall be permitted in compliance with all conditions listed for the use in this chapter. Certain uses are also classified as *Special Uses* and require Board of Adjustment approval.

Section 4.2 Accessory Structures (Residential)

Accessory structures, except as otherwise permitted in this section, shall be subject to the following regulations. Accessory structure size is addressed in each zoning district section in Chapter 3.

- A. Where the accessory structure is structurally attached to a main building, it shall be subject to, and must conform to, all regulations applicable to the principal structure.
- B.1 Accessory structures on standard lots shall not be erected in any yard except the rear yard. Detached accessory buildings may be located in the required rear yard, except no such structure shall be located closer than five (5) feet from any other building on the same lot and at least ten (10) feet from any other buildings used for human habitation.

Satellite dish antennas, mailboxes, newspaper boxes, walls, fences, birdhouses, flag poles, pump covers, and similar structures may be placed in any front, side, or rear yard. Dog houses may be placed in any side or rear yard. No zoning permit is needed for these structures (a permit is required for accessory structures greater than 12 ft in any dimension).

- B.2. Accessory structures on double frontage or corner lots must be placed behind or inline with the prevailing building pattern of the non-primary front (serving as the rear or side yard) of double frontage lots or corner lots. If a building pattern has not been established, the structure placed in the non-primary front must be setback the minimum front setback for that district.

Satellite dish antennas, mailboxes, newspaper boxes, birdhouses, flag poles, pump covers, and similar structures may be placed in any front, side, or rear yard. Walls, fences, and dog houses on double frontage or corner lots must be placed behind or inline with the prevailing building pattern of the non-primary front (serving as the rear or side yard) of double frontage lots or corner lots. If a building pattern has not been established, the structure placed in the non-primary front must be setback the minimum front setback for that district. No zoning permit is needed for these structures (a permit is required for accessory structures greater than 12 ft in any dimension).

- C. Private garages and stand alone carports designed primarily to store an automobile, may be placed in any side or rear yard. Such structure shall not be located closer than five (5) feet from any building on the same lot and must adhere to the regulations for standard lots or corner/through lots.

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- D. On any lot containing a principal residential use, no accessory structure shall be permitted that involves or requires any external construction features which are not primarily residential in nature or character.
- E. An accessory building may not exceed the height of the principal structure.
- F. Satellite dish antennas shall be considered an accessory structure and shall be regulated as follows:
 - Satellite dishes shall be no larger than two (2) feet in diameter unless the applicant can demonstrate the need for a larger size.
 - Satellite dishes whose reflective surface is solid shall be painted a subdued or natural color.
- G. Under no circumstances may a vehicle or trailer designed to be transported by a vehicle be used as an accessory structure in a residential or Office-Institution (O-I) zoning district.
- H. Piers and other waterborne accessory uses must receive approval from Iredell County and Duke Energy Lake Services prior to pier construction. Location, setbacks, and other requirements shall be determined by Duke Energy Lake Services. Piers may be allowed as a principal structure.
- I. A permit is required for accessory structures greater than 12 ft in any dimension.

Section 4.3 Adult Establishments (as a Special Use only)

- A. No adult establishment shall be located less than 1,000 ft from a school, church, day care center, civic building, park, lot in residential use, lot with residential districting or other adult establishment.
- B. All openings shall have an opaque glazing to discourage visibility of the interior.
- C. No exterior signage or building element shall be pornographic in nature or convey any such idea or element.

Section 4.4 Animal Services (outdoor kennels)

- A. No outdoor containment of animals shall be located at least 100 feet from any property located in a residential district and 50 feet from any other abutting lot line.
- B. All pens and kennels must be surrounded by a chain link fence not less than six (6) feet in height, and enclosed on top with a roof, or be located in an enclosed structure.
- C. Kennels shall be designed to effectively buffer all noise audible to surrounding properties.

Section 4.5 Automotive, Boat, Heavy Equipment, Manufactured Home Sales and/or Service (as a Special Use only)

- A. Large surface parking lots & display areas should be visually and functionally segmented into several smaller lots. The size of any single surface parking lot or display area shall be limited to three acres, unless divided by a street, principal building, or an opaque screen/buffer.

- B. No outdoor sound system shall be permitted which can be heard beyond the boundaries of the property.

Section 4.6 Bars and Nightclubs

- A. No Bar or Nightclub shall be permitted within 300 feet of any single-family detached residential unit, church, or other civic use building.
- B. No amplified sound shall be permitted which can be heard beyond the boundaries of the property.

Section 4.7 Bed and Breakfast Inns

- A. Single family homes used as bed and breakfast inns shall have a minimum heated floor area of 1,500 square feet.
- B. The maximum number of guest bedrooms shall be six (6).
- C. The inn shall be operated by a resident manager.
- D. All guest parking shall be to the rear of the home. There shall be one space per room of lodging.
- E. The use shall be located in a structure which was originally constructed as a dwelling.
- F. The use shall contain only one (1) kitchen facility. Meals served on the premises shall be only for overnight guests and residents of the facility.
- G. The use of such a facility by any one patron shall be limited to no more than fifteen (15) days per sixty (60) day period.

Section 4.8 Boarding Houses

- A. The maximum number of guest bedrooms shall be six (6).
- B. The boarding house shall be operated by a resident manager.
- C. The use shall be located in a structure which was originally constructed as a dwelling.
- D. The use shall contain only one (1) kitchen facility. Meals served on the premises shall be only for overnight guests and residents of the facility.

Section 4.9 Cemeteries

- A. Tombstones, crypts, monuments and mausoleums shall be located a minimum of twenty (20) feet from any side or rear lot line and at least thirty (30) feet from a street right-of-way.

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- B. Embalming or cremation facilities are only permitted in principal use cemeteries.

Section 4.10 Daycare Centers

- A. Daycares and preschools shall be located on lots which provide ample outdoor play area. A fenced area in the rear yard or side yard a minimum of 2,500 square feet shall be provided. Fences shall be a minimum of 6 feet in height. Daycares and preschools located adjacent to parks are exempt from this provision.
- B. All play equipment shall be located in the fenced area. Front yards shall not be used as playground areas.

Section 4.11 Drive-Thru (as a Special Use only)

- A. Drive-thrus shall not front on the primary public street.
- B. Drive-thrus located on the side of a building shall be limited to one lane and screened from public street view.
- C. Vehicle storage for drive-thrus shall be located outside of and physically separated from the right-of-way of any street. This area shall not interfere with the efficient internal circulation of traffic on the site, adjacent property, or adjacent street right-of-way.
- D. Drive-thru window facilities shall be screened from off-site view from a street right of way by Type B landscaping.
- E. Drive-thru service window menu boards may not be oriented to a public right-of-way (does not apply to the interior roads within a Shopping Center or Commercial Major Subdivision) and main menu board signs shall not exceed forty-two (42) square feet on the sides or fifty-two (52) sq ft in the rear of the building (including any temporary signage affixed to the menu board). Limited to one (1) main menu board sign and one (1) pre-sale menu sign (not to exceed 12 sq ft) per drive-thru lane.
- F. Any such drive-in service window menu board containing a loud speaker shall be located at least fifty (50) feet from any pre-existing residential structure located in a residential district.

Section 4.12 Family Campgrounds (Special Use Permit only)

- A. Minimum campground or RV park size is fifty (50) acres.
- B. All spaces for camping and recreational vehicles shall be located at least one-hundred (100) feet from any adjoining lot line.
- C. Each recreational vehicle parking area shall be connected to an approved water supply system which provides an accessible, adequate, safe and potable supply of water.
- D. An adequate and safe sewer system shall be provided in all recreational vehicle parking areas.

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- E. A minimum one-hundred (100) ft Type A (opaque) landscaping buffer shall be provided where the use adjoins residentially zoned property.
- F. A central service building containing all necessary toilets, bathhouses and other plumbing fixtures specified in the most current edition of the North Carolina State Plumbing Code, as amended, shall be provided. The service building shall be conveniently located within a radius of three hundred (300) feet to spaces which it serves.
- G. The storage, collection and disposal of trash and refuse shall comply with all applicable city, county and state regulations.
- H. A register of all occupants, the space occupied, and the time of arrival and departure shall be maintained.

Section 4.13 Family Care Homes

In accordance with NC General Statute Chapters 122C, 131D, and 168.

This section applies to adult care homes, child or adolescent care homes, family care homes, group homes, mental health care homes, and residential care homes. These uses are deemed residential uses and are permitted in all residential districts subject to the following conditions:

- A. No more than six (6) residents other than the homeowner and the homeowner's immediate family are permitted to live in a Family Care Home.
- B. A Family Care Home must be licensed with the NC Department of Health and Human Services Division of Facility Services before operating.
- C. No Family Care Home may be located within a one-half (1/2) mile radius of any other residential care home.
- D. No exterior signage is permitted.
- E. No lockdown, violent, and dangerous residents.
- F. Only incidental and occasional medical care may be provided.

Section 4.14 Home Occupations

Customary home occupations may be established in any principal dwelling unit or in an accessory building. The following requirements shall apply in addition to all other applicable requirements of this Ordinance for the district in which such principal dwelling unit is located:

- A. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.
- B. No outside storage of materials or equipment shall be allowed in connection with the home occupation, unless the equipment or materials are of a type and quality that could reasonably be associated with the principal residential use.

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- C. Use of the dwelling for the home occupation shall be limited to twenty-five percent (25%) of the heated finished area or 600 sq ft whichever is less of the principal residential structure and/or a maximum of 600 sq ft of a garage or basement may also be devoted to the home occupation.
- D. List of Permitted Home Occupations:
- accounting, bookkeeping, financial planning, and investment services
 - appraisals, real estate sales, insurance sales
 - art studios (creation of individual works only, no mass production), interior decoration commercial food preparation and catering
 - crafters, upholstery, cabinet and woodworking
 - drafting, engineering, and architecture services
 - fire arms dealers
 - florists and landscaping sales
 - home daycares and home schools
 - internet or mail order businesses
 - law offices and other legal services
 - personal services (hair salons, massage therapists, etc.)
 - pet grooming
 - tailoring (dressmaking, alterations, etc.)
 - tutoring and musical instruction
 - small engine repairs
 - other related offices, professional services and similar low impact endeavors as determined by the Zoning Administrator.
- E. List of Prohibited Home Occupations:
- a. animal boarding facilities
 - b. auto vehicle repair, auto vehicle sales/leasing, restoration or conversion, engineer repair
 - c. gymnastic facilities, exercise studios
 - d. machine shops
 - e. medical/dental offices and other medical procedures
 - f. mortuaries
 - g. physical or psycho therapy
 - h. tattoo and body piercing
 - i. other similar uses and occupations which may be dangerous or unsafe to the public as determined by the Zoning Administrator.
- F. No Home Occupation permit is required for occupations with no client visits to the home (ie sculptors not selling their artistic product to the public on the premises).
- G. Parking shall be provided on the premises (may not create hazards or cause street congestion).

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- H. The Residents of the dwelling plus a maximum of one (1) non-resident may be engaged in the customary home occupation or otherwise report to work at the dwelling.
- I. No display of products shall be visible from any adjoining streets or properties. Sales of products are limited to those made or reconditioned on the premises and those which are necessary to the service being provided.
- J. No external alterations inconsistent with the residential use of the dwelling shall be permitted.
- K. Only vehicles used primarily as passenger vehicles (e.g., automobiles, vans and pick-up trucks) shall be permitted in connection with the conduct of the customary home occupation.
- L. Chemical, mechanical, or electrical equipment that creates odors, light emission, noises, or interference in radio or television reception detectable outside the dwelling unit or accessory building shall be prohibited.
- M. Customary home occupations may be in operation at any time between the hours of 8:00 A.M. and 9:00 P.M. with an exception allowing home daycares and home schools to begin operations at 6:30 A.M.
- N. Must comply with any local, state, or federal requirements.

Section 4.15 Manufactured Homes (on individual lots not within a Mobile Home Park)

- A. The Manufactured Home shall be multi-sectional (not singlewide).
- B. The Manufactured Home shall be constructed after June 15, 1976 and conform to the construction standards of the United States Department of Housing and Urban Development (HUD) and bear the HUD tag and/or data plate.
- C. The manufactured home shall have the towing apparatus, wheels, axles, and transporting lights removed.
- D. The mobile home shall be set up in accordance with the standards established by the North Carolina Department of Insurance.
- E. A continuous masonry foundation shall be installed under the perimeter, unpierced except for required ventilation and access.
- F. A permanent front porch of at least 32 square feet in area shall be constructed within 12 inches of the floor elevation and be fully underpinned to completely conceal area beneath porch and unit. All secondary entrances and exits to the mobile home shall also have concrete steps or similar approved steps.
- G. The front of the manufactured home shall be parallel to the front property line, except on corner lots.

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Section 4.16 Manufactured Home Parks

This section sets forth the standards required for all new manufactured home parks and expansions of existing manufactured home parks.

- A. **Occupancy**: There must be at least five (5) improved manufactured home spaces at first occupancy. Any existing manufactured home park containing less than five (5) manufactured home spaces shall not be considered nonconforming if otherwise in conformance with the standards contained in this Ordinance. No manufactured home space shall be occupied, nor may a certificate of occupancy be issued unless the requirements of this Ordinance have been met. The requirement of a minimum of five (5) spaces at first occupancy shall apply only to the first five (5) spaces of a new manufactured home park. In all other situations a manufactured home park may increase in size in any increments of spaces.
- B. **Location on Suitable Land**: Each manufactured home space shall be located on ground not located within the one-hundred (100) year flood plain as established by the most recently issued maps published by the Federal Emergency Management Agency. No manufactured home shall be placed on land having excessive slope or other characteristics making the land unsuitable for placement of manufactured homes. Each manufactured home space shall be graded so as to prevent any water from ponding or accumulating on the space.
- C. **Manufactured Home Standards**: All manufactured homes shall bear a valid seal indicating conformance with the 1976 National Manufactured Housing Construction and Safety Standards Act. These homes shall meet the following standards:
- The structure shall be set up in accordance with the standards set by the North Carolina Department of Insurance (including tie-down standards).
 - The structure will have all wheels, axles, transporting lights, and towing apparatus removed. If any of these items is non-removable, then it shall be screened with landscaping if it is still visible after the unit is underpinned.
 - The structure must be at least 12 feet in width.
- D. **Stand, Underpinning and Tiedown of Manufactured Homes**: The location of each manufactured home stand must be at an elevation, distance and angle in relation to the adjacent access drive so that placement and removal of the manufactured home is practical by means of customary moving equipment. All manufactured homes shall have continuous underpinning from the bottom of the walls to the ground made of brick, pressure-treated wood (see below), or vinyl, pre-painted aluminum material, or other material specifically manufactured for manufactured homes, unpierced except for required ventilation and an access door. Each manufactured home in the park shall conform to North Carolina Department of Insurance Standards for tiedown requirements. If pressure-treated wood skirting is used, it shall consist of lumber and plywood treated in compliance with American Wood Preserver Bureau Standards. All plywood and lumber used for skirting shall be stamped with trademarks identifying the appropriate grades of lumber and plywood and the treatment identification.
- E. **Steps**: All manufactured homes within the park shall be equipped with two (2) sets of steps.
- F. **Public Road Frontage**: All manufactured home parks shall abut and have at least fifty (50) feet of frontage on a public road. No manufactured home lots shall be directly accessible from the public street.

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- G. **Ingress and Egress:** Manufactured home parks with twenty (20) or more manufactured home spaces shall have at least two (2) separately designated areas which contain both an entrance and exit to the manufactured home park. All manufactured home parks containing less than twenty (20) manufactured home spaces shall have at least one area containing both an entrance and an exit to the manufactured home park. Manufactured home parks requiring only one entrance and exit area shall provide at least one permanent turn-around within the park.
- H. **Interior Streets, Drainage, and Markings:** No structure within a manufactured home park shall have direct access to a public street. Access to all manufactured homes and accessory structures within the manufactured home park shall be made using internal one-way or two-way streets. All internal streets within a manufactured home park shall be privately owned and maintained. All such streets shall be constructed to minimum NCDOT subdivision road standards except that all such one-way streets shall be paved to a minimum width of twelve (12) feet; all two-way streets shall be paved to a minimum width of eighteen (18) feet. All streets shall be located within a minimum forty (40) foot wide dedicated right-of-way area. Such area shall be used for street maintenance, underground utility and drainage purposes. The developer may be required to increase the width of said area to properly accommodate the slope and natural terrain of the area. If curb and gutter is provided, a right-of-way area of less than forty (40) feet may be approved. Permanent street names shall be assigned to all internal streets. Permanent street name signs shall also be installed at street intersections within the park. All streets shall be named and all street signs shall be in accordance with local requirements. Upon completion of the construction site, these signs will be installed. The developer will be responsible for advising tenants of the property address assignments for respective mobile home spaces and instructing them in the purpose of these addresses. Permanent traffic control signs shall be installed within the park. Such signs shall include, as a minimum the following:
- Stop sign(s) where park streets access public roads;
 - Stop sign(s) at the intersection of interior streets, (it is recommended that all four-way intersections be controlled by four-way stop signs);
 - "No Parking" signs along interior streets at intervals sufficient to be readable except where streets have been paved to a width of at least thirty (30) feet.
 - One way streets shall be marked as such at appropriate intervals and "do not enter" signs shall be posted where streets become one way or where streets intersect with one way streets.

Roads in manufactured home parks must be designed and graded in such a manner as to allow for the adequate runoff of storm water from interior streets and other surface areas within the manufactured home park. Speed reduction bumps on paved internal streets are permissible, but they shall be painted and appropriate signs indicating the bump must be placed along the street. All dead-end internal streets which provide access to three (3) or more manufactured home spaces shall be provided with a permanent turn-around. All such turn-arounds shall have a minimum paved surface diameter of seventy (70) feet. Streets and roads within the manufactured home park shall intersect as nearly as possible at right angles, with a 20' radius of intersection and no street shall intersect at an angle of less than seventy (70) degrees. Where streets intersect with a State maintained road, the design standards of NCDOT shall apply. Maintenance of all internal streets, signage, and all drainage facilities shall be the responsibility of the owner of the manufactured home park. Such streets shall be maintained in a manner to be free from pot holes, breaks in the pavement, rough surfaces, ponding of water during rainy periods, excessive washing of drainage ditches, and other associated problems which would impede or cause hazards to motor vehicles. Street jogs ("T" intersections with a street or road, on opposite sides of said road) of less than one-hundred twenty-five (125) feet within and abutting the manufactured home park shall be prohibited.

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- I. **Parking:** At least two (2) off-street parking spaces with not less than four (4) inches of crushed stone or other suitable material (such as asphalt paving or bituminous surface treatment (BST) paving) on a well compacted sub-base shall be provided for each manufactured home space. Required parking spaces may be located in the required front or side yards of the manufactured home space. Parking spaces shall be located outside the roadway, shoulder, or drainage ditches. One or more separate common visitor parking areas may be designated within any manufactured home park. Parking spaces shall be located outside the roadway, shoulder, or drainage ditches. Such areas shall be separate from any manufactured home space, roadway, drainage facility or buffer.
- J. **Trash Facilities:** At least one (1) fly tight, water-tight and rodent proof garbage or trash container with a twenty-four (24) gallon minimum container and forty (40) gallon maximum container capacity, shall be provided for each occupied manufactured home space. Containers shall be placed on racks and such racks shall be located within the manufactured home park at a point which is readily accessible for collection. All refuse must be placed in refuse containers and it shall be the responsibility of the park operator to provide sufficient container capacity to meet the needs of the manufactured home park. In lieu of cans and racks, covered roll out trash/garbage containers may be provided. In lieu of requiring individual garbage and trash containers for each manufactured home, trash dumpsters may be installed in convenient locations, but not on any individual manufactured home space. If dumpsters are provided, each dumpster shall be fly-tight, water-tight and rodent-proof and located at least fifty (50) feet from any property line or public street right-of-way and at least forty (40) feet from any manufactured home. All such dumpsters shall be materially screened from any adjacent manufactured home in the park according to Section 5.5.4 of this Ordinance. It shall be the responsibility of the manufactured home park owner or operator to pick up trash from said containers or dumpsters at least once per week. The owner or operator shall also be responsible for hauling and disposing of said trash in accordance with all County and State regulations. The burning of refuse within the manufactured home park is not permitted. Where suitable collection service is not available from municipal or private agencies, the manufacture home park operator shall provide this service.
- K. **Lighting:** Manufactured home parks which contain over twenty (20) manufactured home spaces or contain more than one internal street shall contain street lights throughout the manufactured home park. Such lights shall be located at all internal street intersections, at the intersection of any internal street and a public street and elsewhere in the park at a maximum of three hundred (300) feet intervals.
- L. **Electric, Telephone and Cable Television Utilities:** Each manufactured home space shall have individual electric and telephone service connections provided. All electric, telephone, and cable televisions, and other utility lines shall be placed underground unless unsuitable underground conditions (e.g., rock, swamp, etc.) exist. In such cases, above-ground utility lines may be provided. Each manufactured home must have an individual metered connection to an electric supply and must have an approved fuse disconnect box at the metered location. All wires from the meter to the manufactured home must be buried underground cable in conformance with the North Carolina Electrical Code. Each meter box shall be properly and distinctly identified with either paint or indelible ink.
- M. **Mailboxes:** Mailbox spaces within the manufactured home park shall be provided in accordance with United States Postal Services Standards. At least one (1) mailbox per manufactured home space shall be provided. Where twenty (20) or more mailboxes are provided in one centralized location, the owner of the manufactured home park shall provide at least two (2) parking spaces in the vicinity of the mailboxes specifically designated for persons using the mailbox area.

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- N. **Administrative Office:** One manufactured home may be used solely as an administrative office within the park or an administrative office may be located in a manufactured home which is used as a residence by the resident manager. An administrative office is not required.
- O. **Water Service:** An accessible, adequate, safe and potable supply of water shall be provided in each manufactured home park. Where connection to a municipal water supply is available, connection shall be made thereto and its supply used exclusively. When municipal water supply is not available, adequate water supply shall be developed and its supply used exclusively, in accordance with the standards of the State of North Carolina and the Iredell County Health Department. Any water supply must be capable of providing three hundred (300) gallons of water per day per manufactured home space. Each space shall be provided a minimum three-fourth (3/4) inch size copper or PVC water service line.
- P. **Sewage Facilities:** Adequate and safe sewage disposal facilities shall be provided in all manufactured home parks. Collection systems and sewage treatment plants complying with the requirements of the North Carolina Department of Health and Environment and the County Health Department shall be provided. Individual septic tank systems are permissible in accordance with the requirement of Iredell County's Health Department regulations. There shall be no more than one (1) manufactured home connected to an individual septic tank, unless permitted by the Iredell County Health Department.
- Q. **Screening:** All manufactured home parks shall provide screening in the form of a opaque screen/buffer along all adjoining properties on the side and rear property lines. Such screening shall be located within the manufactured home park and shall materially screen all structures within the manufactured home park from all adjacent properties. All manufactured home setbacks shall be measured from the edge of the screened area nearest the manufactured home. When such a screen is used, the width of said screen may be included within the required setback area. Required screening shall be installed and maintained in conformance with the standards set forth in this Ordinance.
- R. **Maintenance:** The grounds of a manufactured home park shall be kept free of trash, litter, debris, noxious weeds, open sewage or other unhealthy matter. Any septic tanks which fail shall be immediately repaired or replaced by the manufactured home park owner. Grounds, buildings and storage areas shall be properly maintained. The manufactured home park or operator shall take all necessary steps to prevent infestation by rodents, vermin and insects. All grounds shall have proper drainage to prevent the accumulation of water. It shall be the responsibility of the manufactured home park owner or operator to maintain the manufactured home park in accordance with these standards at all times.

Section 4.17 Multi-Family and Single-Family Attached Residential Buildings

- A. Multi-family and single-family attached residences shall not front along freeways and boulevards as defined in the Town's Comprehensive Transportation Plan in non-residential districts (ie the area immediately adjacent to freeways and boulevards shall be reserved for lots containing commercial uses).

Section 4.18 Outdoor Sales

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- A. The outdoor display of items for sale at permanent retail establishments shall not extend beyond the sidewalk or concrete apron entrance of the building. Such displays shall not block public sidewalks or be located in fire lanes.
- B. This does not include Automotive, Boat, Heavy Equipment, or Manufactured Home sales.
- C. Tractor trailers shall not be considered outdoor sales. These shall be classified as Outdoor Storage.

Section 4.19 Outdoor Storage (non-residential) (as a Special Use only)

- A. All outdoor storage shall be located in the side or rear yard only.
- B. All outdoor storage shall be screened from view with an opaque screen.

Section 4.20 Parking of Recreational and Commercial Vehicles

- A. For purposes of this Ordinance, a recreational vehicle shall not be deemed a dwelling unit and the usage of a recreation vehicle for living, sleeping or housekeeping purposes and the connection of such vehicle to utility services (other than for periodic maintenance and/or repair purposes) shall be prohibited unless the vehicle is located in a camping and recreational vehicle park so designed to accommodate recreation vehicles.
- B. Where restrictive covenants will be imposed that prevent the open storage (storage buildings shall conform to the requirements of the UDO) of large recreational equipment and/or vehicles on individual residential lots an area shall be dedicated for this purpose as described below:
 - Shall contain a minimum of 100 square feet per dwelling unit.
 - Storage area shall be completely enclosed with Type A Landscaping (buffer with opaque screen).
 - Shall have sufficient ingress/egress and access to a public street.
 - Shall be paved or surfaced with materials that prevent erosion.
- C. On any lot of less of than one (1) acre in size which is located in a residential subdivision of more than ten (10) lots, commercial vehicles which may be parked on an overnight basis shall be limited to school buses, vans, and pick-up trucks (if no greater than 5,000 pounds). This requirement shall not be interpreted to prohibit vehicles from loading and unloading household goods in any residential district for a period of up to twenty-four (24) hours nor shall this restrict the overnight parking of freight truck tractors without trailers on any such lot.
- D. No residentially-developed lot may be used as the base of operation for any freight hauling truck.

Section 4.21 Produce Stands (permanent)

- A. A permanent produce stand shall be allowed as an accessory use to an agricultural use only. All produce sold shall be grown on a lot under the same ownership as the lot upon which the produce stand is located. All other produce stands shall be considered temporary uses and shall follow the

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additional requirements for temporary uses in the section below.

- B. A produce stand shall not be located in a street right-of-way.
- C. A produce stand shall not be located closer than ten (10) feet to any side lot line unless a greater setback is required for the zoning district in which it is located.
- D. Signs for a produce stand shall not be illuminated, nor have flashing lights, nor shall they exceed four (4) square feet in area. Off-premises signs are not permitted.
- E. During the times of the year in which the produce stand is not in operation, the stand shall be properly closed up and maintained.

Section 4.22 Rural Cluster Developments

Rural cluster developments with a minimum of 10 home sites may be developed in accordance with the following conditions:

- A. The overall density may not exceed one dwelling unit per three acres (total development acreage).
- B. Rural Preservation zoning district dimensional requirements may be reduced by 50 percent internally, but must remain the same against adjoining properties.
- C. The project shall generally maintain a rural appearance from the exterior public road(s).
- D. Home sites shall be located so as to preserve the following:
 - groves of mature trees
 - pastures
 - hedgerows
 - woodlands
 - cultivated fields
 - rolling hills
 - rock outcroppings
 - streams & wetlands
- E. Required open space shall be irrevocable. Open space shall be held in individual common ownership and deed restricted or shall be dedicated to a home owner's association, a non-profit land conservancy, or trust.

Section 4.23 Temporary Uses

Temporary structures and uses, when in compliance with all applicable provisions of this Ordinance, and all other ordinances of the Town of Troutman, shall be allowed. The following temporary structures and uses shall be permitted:

- A. Construction trailers used in conjunction with construction projects provided that the following conditions are met:

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- Such construction trailers may be located at a building site where there is a valid building permit for the construction project, or, in the case of a residential subdivision, a valid building permit for at least one of the residential units being constructed.
 - All construction trailers shall be located at least ten (10) feet off any street right-of-way and not be placed in any required rear or side yard setback.
 - In addition to construction trailers, at any construction site for a construction project valued at one million dollars or more, one or more security guard houses may be installed. Use of such structures may include overnight stay provided adequate sanitary facilities are provided and the same conditions for construction trailers are met.
- B. Structures, whether temporary or permanent, located in a subdivision containing twenty-five (25) or more lots, and used as sales offices for the subdivision development are permitted. Any temporary structure used as a sales office shall be located on a lot which is in compliance with the regulations of this Ordinance and shall meet all yard requirements for the applicable zoning district. At least five (5) off-street parking spaces shall be provided on the lot to accommodate persons using the sales office. A manufactured home may be used as a temporary sales office, provided that the following conditions are met:
- The manufactured home shall be provided with underpinning, from the bottom of the walls to the ground, made of vinyl, pre-painted aluminum material, or other material specifically manufactured for mobile homes.
 - Landscaping shall be provided to create an aesthetically pleasing appearance.
 - At the completion of the sales in a tract, or two (2) years from the date the temporary sales office began operation, whichever is sooner, said sales office shall cease operation unless the Zoning Enforcement Officer determines that substantial progress is being made in the selling and/or marketing of the lots and/or homes in the subdivision. In such case, one or more extensions (each not to exceed one year in duration) may be so authorized by the Zoning Enforcement Officer. If a temporary structure is used as the sales office, it shall be removed after its use as a sales office is terminated. Immediately after the structure is removed, the lot shall be returned to a natural state. Any paved or graveled driveway and/or parking area associated with the sales office shall also be removed. All bare soil areas on the lot shall be returned to a natural vegetative state (reseeded or sodded) immediately after removal of the sales office and driveway/parking area.
 - If a permanent residential structure is used as the sales office, future use of said structure shall be for residential purposes.
- C. Manufactured homes may be allowed on a temporary basis in a zoning district in which such use is not listed as a permitted use, if a disaster occurs which results in an occupied, single-family dwelling being destroyed (i.e., it receives damage greater than sixty (60) percent of its tax value as indicated on the most current tax listings). In this instance a manufactured home may be placed on the lot containing the dwelling unit which was destroyed. The purpose of allowing such manufactured home on said lot is to give the occupants of the destroyed dwelling unit a place to live while a new dwelling unit is being constructed or damage to the original dwelling unit is being repaired. If a manufactured home is used for such an occurrence, it is subject to the following conditions:
- Such manufactured home shall not be placed in the front yard and shall be located no closer than fifteen (15) feet to another principal residential structure on another lot and no closer than ten (10) feet to any lot line.

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- The Zoning Administrator shall be given the authority to issue a zoning permit for such temporary use on a one-time basis only for a period of up to nine (9) months. Such permit may be renewed on a one-time only basis [for a period of no greater than nine (9) months] by the Board of Adjustment if it is determined that:
- Construction of a new dwelling unit is proceeding in a diligent manner; and,
- The granting of such permit will not materially endanger the public, health, welfare or safety; and,
- The location of the manufactured home on the site does not have a negative effect on abutting properties.

D. School Manufactured Units

- Public or private schools may install temporary manufactured classroom units with the issuance of a zoning permit. Unit must be in use as a classroom.

E. Upon completion and submittal of an Temporary Use Permit application, the Zoning Administrator may grant a zoning permit for the following temporary uses:

- Christmas Trees sales & similar temporary seasonal sales
- Produce Stands (temporary)
- Revivals
- Special events and other amusement enterprises (profit and non-profit)
- Mobile food vendors
- Similar and compatible temporary uses not specified

Temporary Uses are subject to the following conditions:

- Truck trailers and flat beds are not permitted except for short-term delivery services.
- Temporary uses shall be permitted for a maximum of forty-five (45) days and held no more than three (3) times per year at any particular location. An extension may be granted for an additional seven (7) days upon application.
- Produce Stands may be permitted for a maximum of six (6) months but may be re-permitted upon submission of a new application.
- Temporary uses shall require the presentation of proof of property owner approval prior to the issuance of a permit.
- The proposed use will not materially endanger the public, health, welfare and safety.
- The proposed use will not have a substantial negative effect on adjoining properties.
- Special events and other amusement enterprises with expected participation over 200 people must obtain a Special Events Permit.

The following temporary uses shall be exempt from the provisions of this section:

- Mobile food vendors that are removed from the premises each day
- Onsite events for places of worship or public schools
- Activities conducted by and/or on property owned by the Town of Troutman
- Shows for Civic and Youth Organizations (i.e., 4-H Shows)
- Special events and other amusement enterprises with an expected participation of 200 or fewer people

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Section 4.24 Keeping of Livestock

Domestic fowl, cows, sheep, hogs, pigs, swine, goats, horses, mules, or other livestock may be kept within the corporate limits of the Town of Troutman with the following provisions:

- A. Cows, sheep, hogs, pigs, swine, horses, mules, or other livestock shall only be allowed in the RP district and/or on school campuses. Such animals shall be kept a minimum of 150 feet from any town street, residence, or business (except the establishment of the owner of such animals). Every stable or place where animals are kept shall be maintained at all times in a clean and healthy condition.
- B. A maximum of four (4) domestic chicken hens shall be allowed for each single family lot. No chickens shall be allowed in multi-family complexes, including duplexes. Roosters are not permitted. There shall be no outside slaughtering of chickens. All chickens must be kept in a secure enclosure (a "coop") during non-daylight hours. During daylight hours, chickens may be located in a chicken pen or in a securely fenced backyard. Chicken coops must be situated at least ten feet from all property lines and the coop and chickens must at all times be located in the backyard of the residence. Chicken coops must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis to prevent offensive odors.
- C. A maximum of one (1) goat shall be allowed on residential properties one (1) acre or greater with an adequate fence and shelter provided, and maintain the same in a clean and sanitary condition. Goats shall be kept a minimum of 150 feet from any town street, residence, or business (except the establishment of the owner of such animals). There shall be no outside slaughtering of goats.
- D. No permit required for keeping of livestock. However, the temporary use of goats or similar livestock for ground clearing and nuisance plant removal on any lot shall be allowed on a temporary basis upon the issuance of a temporary use permit.

Section 4.25 Yard Sales

- A. Yard, garage, tag, patio and apartment sales are permitted without a permit, as an accessory use on any residentially, institutionally or commercially developed lot in any district.
- B. Such sales on residentially developed lots shall be limited to no more than three (3) days per calendar month on the same lot.
- C. Institutional and commercial yard sales are permitted only with the land owner's permission.
- D. One (1) on-premise and three (3) off-premises yard sale signs per yard sale. All such signs shall be removed within twenty-four hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.

Section 4.26 Wineries

- A. The facility may be operated in association with an existing vineyard (bona fide farm) located on the same property, or multiple adjoining properties under the same ownership; or a facility serving as a Winery may be permitted without the presence of an on-site vineyard, if, in the Board of Aldermen's estimation, the facility will benefit, cater to, and serve the independent vineyards of surrounding areas.
- B. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal. All buildings shall be a minimum of one-hundred (100) feet from any existing residential structure.
- C. Outdoor lighting shall be designed to minimize light from directly impacting adjacent property.
- D. Associated small-scale processing, catering, or lodging facilities (such as, but not limited to cheese making and restaurants), that are incidental to the winery, but may enhance the overall property in relation to tourism, may be permitted on a case-by-case basis by the Board of Aldermen. Associated uses are subject to the requirements of this section as well.
- E. Architectural plans showing elevations of the building(s) must be submitted to the Board of Aldermen for approval.
- F. Parking ratios for wineries and incidental facilities related to vineyard tourism shall be determined using the most compatible Parking Ratio minimum. Gravel driveways are allowed and gravel parking is permitted for parking lots not seen from a public road.

Section 4.27 Fairgrounds

- A. Fairground uses with an expected participation of 200 or more people must obtain a Special Events Permit.

Section 4.28 Palmistry/ Palm Reading/ Fortune Tellers/ Psychic Services

- A. All palmistry/ palm reading/ fortune tellers/ psychic services shall take place in an area of the establishment that cannot be viewed by other customers or by the general public from any public or private street-right-of-way or any area commonly accessed by the public (ie parking lots, mall corridors, promenades, sidewalks), whether on the same or a nearby property.
- B. All palmistry/ palm reading/ fortune tellers/ psychic services shall be located a minimum of 250' from a school, church, daycare, library, park, or public playground.
- C. All palmistry/ palm reading/ fortune tellers/ psychic services shall not have frontage on major thoroughfares as defined in the CTP.

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Section 4.29 Beneficial Landfill (as a Special Use only)

- A. Beneficial fill sites in residential districts less than one-half (1/2) acre do not require a special use permit, zoning permit, or site approval.

Section 4.30 Sanitary Landfill (as a Special Use only)

In addition to the four findings of fact, the Board of Adjustment shall determine the following:

- A. Site and operational plan addresses each of the environmental and development standards below:
- The use shall be located on a lot of at least 50 acres;
 - All land filling operations and off-street parking and service areas will be separated by a 100 foot buffer from all adjacent properties and shielded by an opaque screen from the view from a public street;
 - No structure or land filling operation will be located within 100 feet of any property line nor within 200 feet of abutting property located in a residential district or developed for residential or mixed use;
 - Vehicular access to the proposed use will not be provided by a residential collector or a town street and access roads to the site will connect directly to a designated thoroughfare; and
 - The siting and design of the facility will comply with the “Siting and Design Requirements for Disposal Sites” of the North Carolina Solid Waste Management Rules (T15ANCAC13B) in effect at the time of review of the application;
 - Monitoring of surface water and groundwater will be conducted in accordance with the State of North Carolina permit and monitoring documents developed pursuant to the State of North Carolina Solid Waste Management Rules;
 - The facility complies with Iredell County’s policy concerning Actual and Suspected Contaminants of Iredell County Surface and Groundwater; and
 - That there is a general timetable indicating the development phases and projected life expectancy of the landfill; and
 - That there is a detailed plan for the re-use of the property, after landfill operations cease, that is not in conflict with the objectives of the most detailed plan approved for the area; and
 - That the plan for close-out of the landfill includes the creation of an escrowed fund to finance closeout, with contributions to the fund escrowed annually, beginning at the time facility development begins.

Section 4.31 Junkyards (as a Special Use only)

- A. Junkyards shall be setback at least 500 feet from any preexisting single family residential district, multifamily residential district, school, church, public building, public recreation facility, hospital, nursing home, or daycare facility.

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- B. Junkyards shall have a minimum setback from the front property line to the fence of twenty (20) feet. There shall be a minimum setback from the side and rear property lines to the fence of fifteen (15) feet.
- C. In compliance with state and federal statutes, junkyards shall not be visible from a state or federally funded or maintained thoroughfare at anytime of the year.
- D. Junkyards shall be surrounded by an opaque wood, opaque vinyl, or masonry fence at least seven (7) feet in height.
- E. In addition to the fence, junkyards shall be completely surrounded by evergreen vegetation not less than two (2) feet in height at the time of planting that provides a year round opaque screen that may reasonably be expected to be at least seven (7) feet tall within three (3) years of planting. The evergreen vegetation shall be maintained as to provide a continuous unbroken hedgerow for the entire period the property is used as a junkyard and shall be planted no more than four (4) feet outside of the required fence. Dead or diseased foliage shall be replaced at the next appropriate planting time. Each owner, operator, or maintainer of a junkyard shall use good husbandry techniques such as pruning and fertilizing to maintain maximum density and foliage.
- F. The required fence shall enclose all operations, equipment, junk, and inoperable motor vehicles at all times unless the junk, equipment, or inoperable vehicles are in transport to or from the site.
- G. All junkyards shall be maintained to protect the public from health and safety nuisances and hazards. Types of maintenance actions may include upkeep of the vegetation screen, maintenance of the fence so that there are no holes, keeping of all junk and operations within the confines of the fence and keeping machinery in good working order.

Section 4.32 Agricultural Uses, Commercial (as a Special Use only)

- A. Commercial agricultural uses; such as, but not limited to, livestock operations and horse farms, must be situated on a minimum of 10 acres of land; such operations, shall be kept in a clean and sanitary condition to prevent odors, rodents, and flies. Setbacks shall be determined by the Board of Adjustment.

Section 4.33 Farmers Markets

- A. All farmers' markets and their vendors must comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the market premises.
- B. All farmers' markets and their vendors must receive all required operating and health permits, and these permits (or copies) shall be in the possession of the farmers' Market Manager or the vendor, as applicable, on the site of the farmers' market during all hours of operation.
- C. Must have an established set of operating rules addressing the governance structure of the farmers' market, hours of operation, maintenance and security requirements and responsibilities; and appointment of a Market Manager. The Market Manager must be

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authorized to direct the operations of all vendors participating in the market on the site of the market during all hours of operation.

- D. Must provide for composting, recycling, and waste removal in accordance with all applicable Town codes.

Section 4.34 Accessory Dwellings

- A. Accessory dwellings must comply with all applicable local, State and Federal housing codes;
- B. Only one (1) accessory dwelling shall be permitted per single deeded lot;
- C. Accessory dwellings shall not be sold separately from the property;
- D. Accessory dwellings shall be owned by the same person as the principal dwelling;
- E. The accessory dwelling shall not exceed fifty (50) percent of the square footage of the livable area of the primary structure or one thousand (1,000) square feet of gross floor area, whichever is less;
- F. The accessory structure may be dwelling only or may combine dwelling with a garage;
- G. A minimum of one off-street parking space, but not more than two, shall be provided for the accessory dwelling;
- H. Accessory dwellings shall be located in the rear or side yard;
- I. The required rear and side yard setbacks may be reduced to a minimum of five (5) feet;
- J. The accessory dwelling must be located a minimum of ten (10) feet from any other structure;
- K. The accessory dwelling must comply with the height limitations for the district in which it is located;
- L. The exterior of the accessory dwelling shall be compatible with the principal residence in terms of color, siding, roof pitch, window detailing, roofing materials, and foundation;
- M. The use of mobile homes, travel trailers, campers, tractor trailers, or similar vehicles shall be prohibited as an accessory dwelling; and
- N. Accessory dwelling units shall not include home occupations.